

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5796 of 2020**

- Dileshwar Paikra S/o Late Ghasi Ram, Aged About 24 Years
Occupation Agriculture R/o Village Devipur, P S And Tehsil
Surajpur, District Surajpur Chhattisgarh.

---- Applicant**Versus**

1. State Of Chhattisgarh Through S.H.O. Police Station
Udaipur, District Surguja Chhattisgarh.
2. Chandrakeswar Singh, S/o Chandra Prasad, Aged About 50
Years R/o Village Kalcha, P S Udaipur, District Surguja
Chhattisgarh

---- Respondents

For Applicant	:-	Mr. Jitendra Shrivastava, Adv
For Respondent-State	:-	Mr. K.K. Singh, G.A.
For Complainant/Objector	:-	Mr. Rakesh Jha, Adv

Proceedings through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

15/10/2020

1. Heard.
2. The applicant has preferred this application under Section
439 of the Cr.P.C. for grant of regular bail as he is arrested
in connection with crime No.73/2020 registered in Police
Station Police Udaipur, District Surguja C.G. for the offence
punishable under Sections 363, 366, 376(2)(n) of the I.P.C.

and Section 5(3)/6 of the Protection of Children from Sexual Offences Act, 2012.

3. Although, the applicant has abducted and committed forcible sexual intercourse with the prosecutrix, aged about 14 years but in her statement recorded under Section 164 Cr.P.C. she has not made any allegation of abduction and commission of rape by the applicant. Similar statement has been made by the prosecutrix before Balak Kalyan Samiti, Sarguja vide Annexure A-3.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the fact that the applicant is in jail since 03.06.2020 and the charge sheet has already been filed, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of ₹50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi